

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID ASBURY,

Plaintiff,

v.

CHAD HEATON,

Defendant.

NO. CV-09-388-EFS

ORDER OF DISMISSAL

By Stipulation filed April 8, 2011 (ECF No. [17](#)), the parties advised the Court that the above-captioned matter should be dismissed with prejudice and without costs or fees, pursuant to Federal Rule of Civil Procedure 41.

Therefore, IT IS ORDERED:

1. The Complaint (Ct. Rec. 1) is DISMISSED with prejudice and without costs or fees awarded to any party;
2. All pending trial and hearing dates are stricken;
3. All pending motions are denied as moot; and
4. This file shall be closed.

IT IS SO ORDERED. The District Court Executive is directed to enter

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1 this Order and distribute copies to counsel.

2 **DATED** this 11th day of April 2011.

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5 S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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